



Forest
Service

Lake Tahoe Basin
Management Unit

35 College Drive
South Lake Tahoe, CA 96150
(530) 543-2600
(530) 543-0956 TTY

Date: November 14, 2013

To: File

From: Nancy J. Gibson, Forest Supervisor

Re: Winter Vehicle Use Restrictions (Forest Order 19-13-10)

This Forest Order will restrict winter vehicle use in the areas shown as closed on the Lake Tahoe Basin Management Unit Recreation and Snowmobile Guide Map. It is to be issued under authority of Title 36 Code of Federal Regulations Section 261.50(a) and (b).

Winter vehicle restrictions respond to the need to protect the natural resources and to maintain public safety. Approximately 75% of the Lake Tahoe Basin is National Forest. Receiving over 5 million visitors a year the Lake Tahoe Basin Management Unit (LTBMU) is also an urban forest, where residential areas are adjacent to public lands. This visitation and urban interface, in addition to the popularity of the forest as both a summer and winter recreation destination, have required resource managers to address the need for effective recreation use management and a resource protection program to balance that visitation and recreation use with associated impacts, and develop and implement management strategies that permits visitor use without compromising resource and aesthetic integrity or conflicting with adjacent urban areas.

The LTBMU has identified a range of management strategies for managing winter motor vehicle recreation use within the National Forest. Those actions are a part of the overall Forest management strategy. Accordingly, there is a need for a Forest Order to address areas where resource or public safety concerns may exist. A key guideline for the LTBMU is to manage recreation use while protecting environmental attributes. Actions to achieve that include regulation of the type and amount of use.

Monitoring has shown that unmanaged winter motor vehicle use often occurs adjacent to urban areas, inside designated wilderness areas and inventoried roadless areas, and across sensitive resource areas. This Order prohibits particular use of over-snow vehicles and other motor vehicles on certain trails and in the closed areas. This Order will be in effect until November 30, 2014, only when there is snow on the ground.

Snowmobiles generate a number of impacts that support a need for restrictions and management oversight. Specific impacts from over-snow vehicle use include the effects on:

Wildlife: The Lake Tahoe Basin is home to a variety of wildlife, fish and plant species, some of which are classified as “threatened” by the US Fish & Wildlife Service, or “sensitive,” by the US Forest Service (Regional Forester). In addition, the Basin provides suitable habitat for a variety of species that include such special interest species as the Bald Eagle, California Spotted Owl,

Northern Goshawk, as well as mule deer and black bears. Resource studies have concluded that snowmobiles can have a detrimental effect on wildlife, particularly if that disturbance is unpredictable when and where it occurs. This supports designating specific areas for snowmobiling.

Noise: There is an extensive urban interface with National Forest System lands inside the Tahoe Basin. Numerous snowmobile noise studies have been conducted on these lands and the LTBMU Forest Plan provides noise emission standards. The specific areas designated for snowmobiling minimize noise impacts to urban areas such as residential neighborhoods.

Public Safety: The Lake Tahoe Basin has many uses, ranging from developed ski resorts to designated Wilderness areas, within a relatively small forest area. Areas to be designated for snowmobilers are those that will minimize conflicts with other uses.

In addition, areas that were not within the public land base when the Forest Plan was adopted in 1988 (e.g. High Meadows and Incline Lakes), need to be addressed. When appropriate, these areas will follow those standards and guidelines (regarding recreational uses) as described in the contiguous Management Area. Note that management of the High Meadows acquisition will be consistent with the Freel Management Area; as a primarily non-motorized area where the undeveloped character of the area will be maintained and recreation development will be constrained to the minimum. Since public recreational use of the High Meadows area has not been an established nor traditional use of these (until recently) privately owned lands, the area will be managed to provide public access without expanding motorized recreation uses, pending future review of this management area during the Forest Plan revision. In addition, the fact that the primary portal point from Pioneer Trail into the High Meadows area remains in private ownership adds to the potential of public recreational intrusions on these private lands. This adds to the need to minimize authorizing motorized use pending the clear establishment of property boundaries and a review of potential resource impacts from any new activity.

Another, more recent addition to the National Forest land base is the approximately 754-acres of land commonly known as the "Incline Lake Property." This previously privately owned land area was acquired in 2008, and consequently has not been addressed in the LTBMU Forest Plan or in previous winter vehicle orders or restrictions. This land area in July 2008 was closed to all public access by Forest Order (LTBMU Order No. 19-08-10, and Humboldt-Toiyabe National Forest Order No. 04-17-08-H-T) to ensure public safety and resource protection within the identified Incline Lake Property. The bi-forest Order was issued as a precautionary measure to ensure the public would not enter the property while court-ordered demolition and restoration activities were occurring. The Order in addition to facilitating public safety was also intended to provide protection of the resources. That Order did expire on November 30, 2008. A winter motor vehicle restriction is needed as an interim measure until the land area adjacent to Third Creek and Ginny Lake drainage and Incline Lake can be evaluated for resource conditions and a formal management plan be developed to address both resource protections needs and recreation management opportunities and constraints. The proposed action has been discussed with the Carson Ranger District recreation staff and District Ranger and they support the proposed winter restrictions on lands administered by the LTBMU. They will be continuing their existing policy of allowing winter motorized access on the Humboldt-Toiyabe portion of the north section of Tahoe Meadows.

This Forest Order continues the direction as established in the existing 1988 LTBMU Land and Resource Management Plan. The Order maintains the Forest direction (as initially described within LTBMU Forest Order 19-03-10) and re-affirmed on November 25, 2008 (Forest Order 19-08-12 "Winter Vehicle Restrictions"), November 3, 2010 (Forest Order 19-10-08), and November 30, 2012 (Forest Order 19-12-9). That LTBMU Forest Plan is expected to be

replaced by an updated and revised Land and Resource Management Plan during 2014.

FOREST ORDER PROVISIONS:

1. Using or possessing an over-snow vehicle off National Forest System roads in the areas shown as closed on Exhibit A.
2. Using an over-snow vehicle on National Forest System roads in the areas shown as closed on Exhibit A.
3. Using a motor vehicle on National Forest System roads in the areas shown on Exhibit A and on the trails listed on Exhibit B.

All of the Management Areas closed as shown on Exhibit A & B were evaluated for the need for winter over-snow vehicle restrictions in the Environmental Impact Statement accompanying the LTBMU Land and Resource Management Plan (current Forest Plan).

Desolation Wilderness: Closed to all motorized use.

Mt. Rose Wilderness: Closed to all motorized use

East Shore Beaches Management Area: Maintain closure to over-snow vehicles.

Echo Lakes Management Area: Maintain closure to over-snow vehicles (winter).

Emerald Bay Management Area: Closed to over-snow vehicle use.

Freel Management Area: The area north of Fountain Place Road is closed to all over-snow vehicles. The area south of Fountain Place Road is open to over-snow vehicles.

Fallen Leaf Management Area: Closed to over-snow vehicles east of Fallen Leaf Road to South Lake Tahoe and north of Tahoe Mountain, north of Highway 89 and at Angora Lakes

Heavenly Valley Management Area: Maintain closure to OHV/OSV use

Marlette Management Area: Closed to over-snow vehicles except the Slaughterhouse Canyon Area.

Meeks Management Area: Maintain closure to OHV/OSV use.

Meiss Management Area: Closed to all motor vehicles

Mt. Rose Management Area: Open to over-snow vehicles except within designated wilderness.

Roundhill Management Area: Open to over-snow vehicles except in Rabe Meadow and the vicinity of Round Hill Pines Resort.

Tahoe Valley Management Area: Open to over-snow vehicles except for areas around Grass Lake, Waterhouse Peak, Christmas Valley and in the vicinity of Pioneer Trail and Black Bart.

Urban Lots Management Area: Closed to over-snow vehicle activity.

REASONS FOR CATEGORICALLY EXCLUDING THE DECISION

This action has been categorically excluded from further documentation in accordance with the Environmental Policy and Procedures Handbook FSH 1909.15 Chapter 30. This decision falls under section 31.12(1): Categories Established by the Chief: "Orders issued pursuant to 36 CFR Part 261 - Prohibitions to provide short-term resource protection or to protect public health & safety." This action can be categorically excluded from documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA). This is not a project or activity implementing a land and resource management plan that is documented in a decision memo, decision notice or record of decision.

As per 36 CFR 220.6(b), the mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion. It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions and if such a

relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determine whether extraordinary circumstances exist.

Resource Conditions that should be considered in determining whether extraordinary circumstances related to a proposed action are:

1. Federally listed threatened or endangered species of designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species – There are no potential effects of this decision on listed wildlife, fish and plant species. Prohibitions on winter over-snow vehicles are expected to be beneficial to listed wildlife, fish and plant species.
2. Flood plains, wetlands or municipal watersheds – There are no flood plains, wetlands or municipal watersheds located within the authorized winter over-snow vehicle riding areas.
3. Congressionally designated areas, such as wilderness, wilderness study areas or national recreation areas – There are no potential effects of this decision on congressionally designated areas, wilderness study areas or national recreation areas, as all areas will remain open to non-motorized winter access under existing management guidelines in these areas.
4. Inventoried roadless areas or potential wilderness areas – There are no potential effects of this decision on inventoried roadless areas or potential wilderness areas, as all areas will remain open to non-motorized winter access under existing management guidelines in these areas.
5. Research Natural Areas – No research natural areas will be affected by this action.
6. American Indians and Alaska Native religious or cultural sites – There will be no effect or impact to American Indian religious or cultural sites. Alaskan sites do not apply to the California-Nevada region.
7. Archaeological sites, or historic properties or areas – There will be no effect to archaeological sites or historic properties or areas.

This decision is not subject to administrative appeal pursuant to 36 CFR 215.12(f), which states that decisions for actions that have been categorically excluded from documentation in an environmental assessment or environmental impact statement, are not appealable.

Scoping contacts regarding the action have included:

Nevada State Parks
California State Parks
Tahoe City Public Utility District
Douglas County Parks and Recreation
Humboldt-Toiyabe National Forest
Eldorado National Forest
Tahoe National Forest

Internal consultation included:

Gina Thompson: Recreation & Lands Staff Officer, LTBMU

Mike LeFevre: Planning Staff Officer, LTBMU

Ronald Thompson: FPO, LTBMU OHV Patrol

Gary Barnett: Patrol Captain, LTBMU & Tahoe National Forest

Laura Clarke: Law Enforcement Officer – LTBMU

Frank Machler: Law Enforcement Officer - LTBMU

In summary, all of the contacts expressed support for the decision. Contacts with Law Enforcement officers reflected there have been numerous and frequent incidents with unmanaged winter vehicle activities during past winter periods on the LTBMU.

IMPLEMENTATION DATE

The Forest Order will be implemented December 1, 2013 through December 1, 2014

Further information regarding this decision can be obtained from:

Don Lane: Supervisory Recreation Forester 530-543-2621

Gary Barnett: Supervisory Law Enforcement Officer 530-543-2735

35 College Drive South Lake Tahoe, California 96150



**USDA Forest Service
Lake Tahoe Basin Management Unit
Winter Vehicle Restrictions
Forest Order No. 19-13-10**

Pursuant to 16 USC 551 and 36 CFR 261.50(a) and (b), and to protect natural resources and provide for public safety, the following acts are prohibited within the Lake Tahoe Basin Management Unit. This Order is effective from December 1, 2013 through December 1, 2014. This prohibitions contained in this Order apply only when there is snow on the ground.

1. Using or possessing an over-snow vehicle off National Forest System roads in the areas shown as closed on Exhibit A. 36 CFR 261.56.
2. Using an over-snow vehicle on National Forest System roads in the areas shown as closed on Exhibit A. 36 CFR 261.54(a).
3. Using a motor vehicle on National Forest System trails in the areas shown as closed on Exhibit A and on the trails listed on Exhibit B. 36 CFR 261.55(b).

Pursuant to 36 CFR 261.50(e), the following persons are exempt from this Order:

1. Persons with a permit from the Forest Service specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

These prohibitions are in addition to the general prohibitions contained in 36 CFR Part 261, Subpart A.

A violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than 6 months or both. 16 USC 551 and 18 USC 3559, 3571, and 3581.

Done at South Lake Tahoe, California, this _____ day of November 2013.

s/ Forest Supervisor
Lake Tahoe Basin Management Unit



United States
Department of
Agriculture

Forest Service

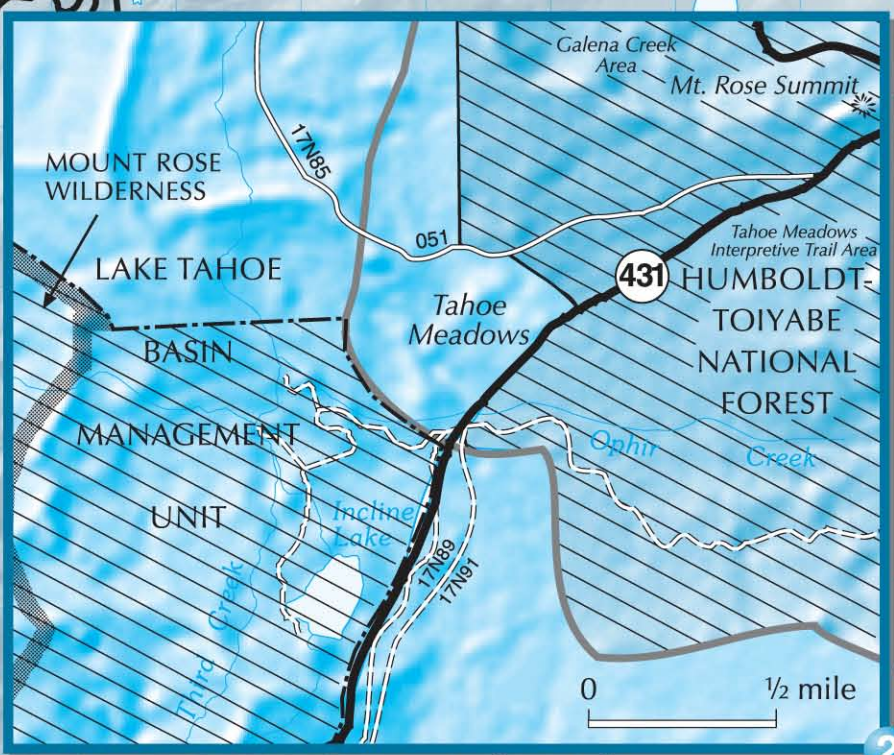
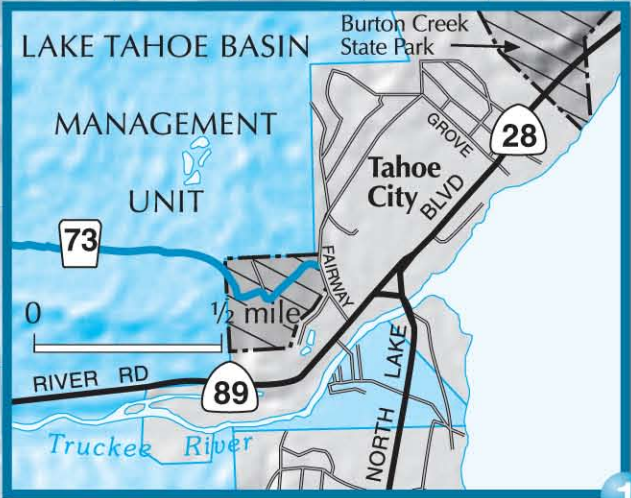


Snowmobile Guide

Lake Tahoe Basin Management Unit

EXHIBIT A

2013-2014 Forest Order No: 19-13-10



**USDA Forest Service
Lake Tahoe Basin Management Unit
Winter Vehicle Restrictions
Forest Order No. 19-13-10**

Pursuant to 16 USC 551 and 36 CFR 261.50(a) and (b), and to protect natural resources and provide for public safety, the following acts are prohibited within the Lake Tahoe Basin Management Unit. This Order is effective from December 1, 2013 through November 30, 2014. The prohibitions contained in this Order apply only when there is snow on the ground.

- Using or possessing an over-snow vehicle off National Forest System roads in the areas shown as closed on Exhibit A. 36 CFR 261.56.
- Using an over-snow vehicle on National Forest System roads in the areas shown as closed on Exhibit A. 36 CFR 261.34(a).

Pursuant to 36 CFR 261.50(e), the following persons are exempt from this Order:

- Persons with a permit from the Forest Service specifically authorizing the otherwise prohibited act or omission.
- Any Federal, State or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

These prohibitions are in addition to the general prohibitions contained in 36 CFR Part 261, Subpart A.

A violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than 6 months or both, 16 USC 551 and 18 USC 3559, 3571, and 3581.

Done at South Lake Tahoe, California, this 26th day of November 2013.

JEFF MARSOLOIS
Jeff Marsolais
Acting Forest Supervisor
Lake Tahoe Basin Management Unit

Snowmobile Use

- Snowmobile use is allowed only in areas shown as "OPEN to Snowmobile Use" on this map. (See legend)
- There must be adequate snow on the ground to prevent resource damage. Any contact between the snowmobile and the ground is prohibited.
- Use of any other type of motor vehicle in the areas open for snowmobiling is prohibited off National Forest System roads and trails.
- In California, snowmobile registration laws are strictly enforced. All snowmobiles must be currently registered or have a non-resident operating permit.
- The effective date of these restrictions will vary, depending on weather and snow conditions. Please check with the Forest Service for the current status of these restrictions.
- The operator is responsible for knowing and following all local, County, or State regulations that pertain to snowmobile use.
- Violation of federal regulations relating to snowmobile use may result in a citation, with a maximum penalty of up to a \$5,000 fine and/or 6 months in jail.

Legend

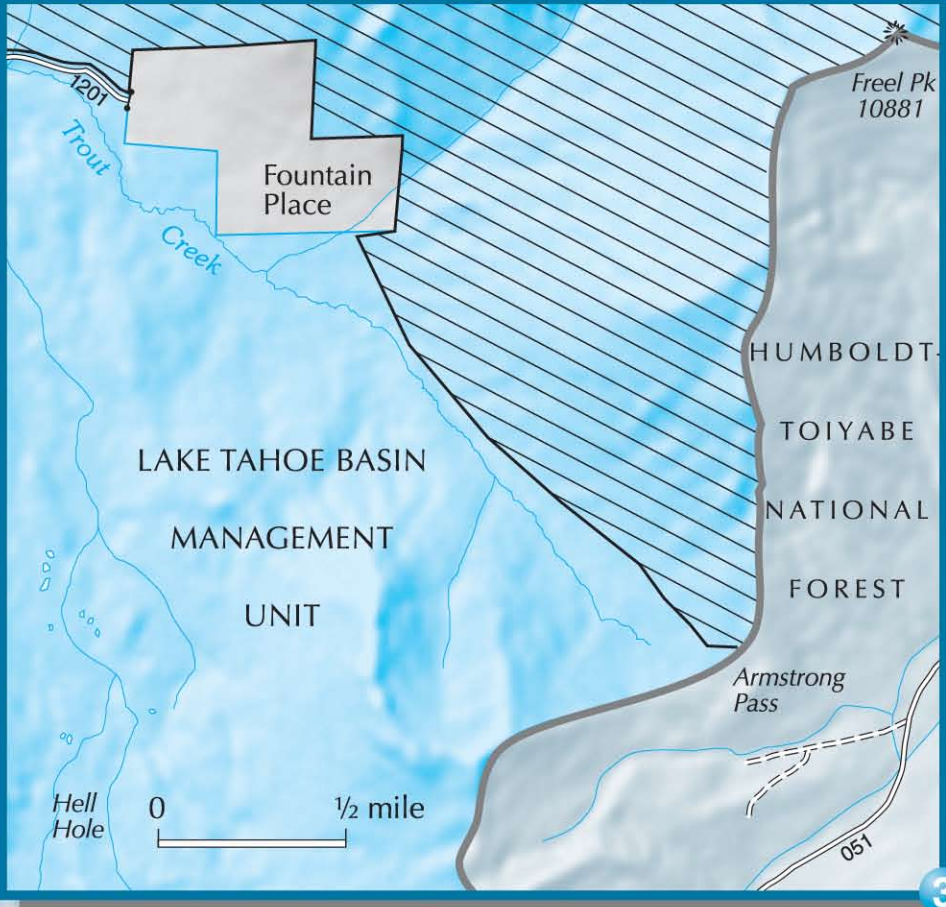
- Groomed Snowmobile Route* (Staying on groomed trails minimizes resource impact)
- Highway, Main Road (Plowed)
- Main Forest Road (Not Plowed)
- Selected Unimproved Road (Not Plowed)
- Road, Surface Not Indicated (May Not be Plowed)
- Lake Tahoe Basin Management Unit Boundary
- Lake Tahoe Basin Management Unit (LTBMU) Land: OPEN to Snowmobile Use**
- Lake Tahoe Basin Management Unit Land: CLOSED to Snowmobile Use**
- Wilderness Area: CLOSED to Motor Vehicle Use
- State Land: CLOSED to Motor Vehicle Use
- Private Land within LTBMU
- Land Outside Lake Tahoe Basin Management Unit - Regulations in these areas are not represented on this map.**

- 50 U.S. Highway
- 89 California State Highway
- 28 Nevada State Highway
- 73 Forest Service Primary Route
- LTBMU Administrative Office / Visitor Center
- Snowmobile Access
- SnoPark
- Ski Area
- Restroom
- Gate

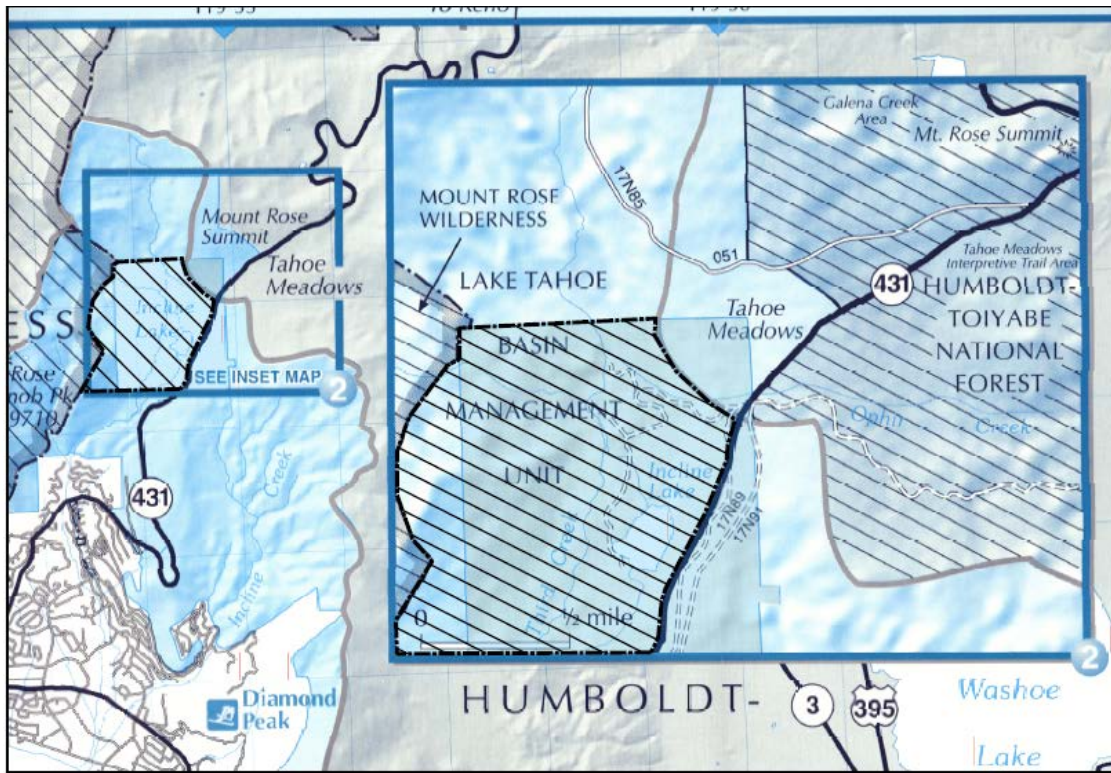
*** Groomed Snowmobile Routes**

Spooner Summit groomed snowmobile routes are maintained by Zephyr Cove Resort under a special use permit from the USDA Forest Service. Limited public parking is available along Hwy 50 at Spooner Summit.

North Shore groomed snowmobile routes from Brockway Summit to Tahoe City are maintained by private snowmobile companies under a special use permit from the USDA Forest Service. Limited public parking is available along Hwy 267 at Brockway Summit. There are no designated snowmobile parking areas in Tahoe City.



Incline Lake-Mount Rose-Tahoe Meadows Inset into Exhibit A Map





USDA Forest Service
Lake Tahoe Basin Management Unit
Winter Vehicle Restrictions
Forest Order 19-13-10

EXHIBIT B

Forest Trail 18E14
Forest Trail 18E33A
Forest Trail 18E39.3
Forest Trail 18E18
Forest Trail 18E18A
Forest Trail 18E18B
Forest Trail 18E18C
Forest Trail 18E18E

Corral Trail
High Meadows Trail
Kingsbury Stinger Trail
Kings Beach Trail
Kings Beach Trail
Kings Beach Trail
Kings Beach Trail
Kings Beach Trail